

REMARKS

No amendments, cancellations or additions have been made to the claims of the case. Claims 17, 18 and 20-37 remain pending in the captioned case.

Section 121 Restriction

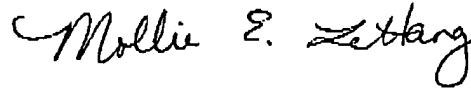
The Office Action requests Applicant to elect a single species of claims directed to embodiments of a semiconductor topography, wherein 1) all layers of a SONOS structure comprise deuterium; and 2) at least one but less than all layers of the SONOS structure comprise deuterium. In response thereto, Applicant provisionally elects the species of the semiconductor topography, wherein at least one but less than all layers of the SONOS structure comprise deuterium, on which generic claims 17, 18, 23-27, and 30 read, as well as species claims 29 and 31-37 read. It is believed that generic claims 17, 18, 23-27, and 30 read on each grouping of embodiments, however, the species claims are directed primarily to the species of the semiconductor topography, wherein at least one but less than all layers of the SONOS structure comprise deuterium. This provisional election of the generic and species claims is made without traverse. Applicant respectfully requests that, upon allowance of a generic claim (i.e., claims 17, 18, 23-27, and 30), the species set forth in claims 29 and 31-37 as well as other species claims 20-22 and 28 be allowed under 37 C.F.R. § 1.141(a).

CONCLUSION

The present response is believed to be a complete response to the issues raised in the Office Action mailed December 7, 2004. If the Examiner has any questions, comments or suggestions, the undersigned earnestly requests a telephone conference.

No fees are required for filing this amendment; however, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment, to Daffer McDaniel LLP Deposit Account No. 50-3268/5298-08101.

Respectfully submitted,



Mollie E. Lettang
Reg. No. 48,405
Agent for Applicant(s)

Daffer McDaniel LLP
P.O. Box 684908
Austin, TX 78768-4908
(512) 476-1400
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MEL